

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 477 of 2006

DATED: 06-01-2006

Between:

S. Mangilal, S/o. late Sampath Raj ...Petitioner

And

The Chief Rationing Officer,

Hyderabad and two others ...Respondents

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 477 of 2006

ORDER:

-

-

Petitioner filed this writ petition seeking to set aside the order of the 2nd respondent in proceedings No.B2/3053/05 dated 16-08-2005 in favour of the third respondent and direct the 2nd respondent to transfer the authorization basing on the guidelines and proposals dated 29-06-2005 issued by the Government in favour of the petitioner from the name of his deceased father to the shop No.884 situated at Risala Bazaar, Bollaram, Secunderabad.

The grievance of the petitioner is that his father late Sampath Raj was

the fair price shop dealer in respect of Fair Price Shop No.884, Circle VIII at Risala Bazaar, Bollaram, Secunderabad and his father Sri late Sampath Raj expired on 19-12-1999. Thereafter, the petitioner was appointed as dealer purely on temporary basis. As per orders of the District Supply Officer, Hyderabad dated 22-12-1999 to fill up the existing vacancies, notification dated 26-11-2004 was issued by the Chief Rationing Officer, Hyderabad calling for the applications in respect of the said shop along with several other shops. It is stated that the petitioner, third respondent and others made applications for permanent appointment of the dealership and third respondent was appointed as a permanent dealer vide proceedings No.362/2005, dated 16-08-2005. Against the said order, petitioner filed an appeal before the Chief Rationing Officer on 25-08-2005.

It is the case of the petitioner that pursuant to the representation made by the Chairman of Fair Price Shop dealers welfare Association of A.P. State Steering Committee, the Commissioner of Civil Supplies issued instructions in CCS.Ref.No.5/10045/2005 dated 29-06-2005 requesting the collectors (CS) and Chief Rationing Officers to examine the feasibility to amend the G.O.Ms.No.53, dated 06-10-2003 and to offer their remarks. But no guidelines have yet been issued to transfer the fair price shop in favour of the legal heirs.

However, an appeal is pending before the first respondent, I am not inclined to pass any orders at this stage.

Having regard to the fact that without entering into the merits of the case, the first respondent is directed to consider and dispose of the appeal filed by the petitioner in accordance with law as expeditiously as possible, preferably within six weeks from the date of receipt of a copy of this order.

Writ Petition is disposed of accordingly. No order as to costs.

V. ESWARAIAH, J.

Dated: 06-01-2006.

rns